REMARKS

Claims 1-45, 47 and 49 are pending, with claims 1, 23, and 45 being independent. Reconsideration and allowance of Applicant's claims are respectfully requested in light of the following remarks.

The Office Action rejected claims 1-8, 23-30, and 45 under 102(e) as being anticipated by U.S. Patent No. 6,839,737 (Friskel). Applicants respectfully requests that these rejections be withdrawn because Friskel does not describe or suggest all of the features of independent claims 1, 23, and 49. For instance Friskel fail to describe or suggest at least (1) "maintaining a list of people that is known to a user;" and (2) adding a person to the list based on a determination that a person is known to the user based, at least in part, on one or more communications between the person and the user." as recited in independent claim 1 as amended, and similarly in independent claims 23 and 49, as amended.

Specifically, Friskel describes an application that allows the user to view e-mails and e-mail sender's on-line status in a single user interface. See, *Friskel, Abstract.* A user computer maintains two lists: a hidden contacts list 112 and a visible contact list 110. The hidden contact list includes a list of messaging system members who have given user the permission to receive their on-line status. The visible/approved contact list includes a list of members who is eligible to receive on-line status information about the user. See, *Friskel, Col. 3: 20-59.* For example, if the user is on the sender's visible/approved contact list, the sender's on-line status is repeatedly transmitted to the user via a messaging server. Meanwhile, the sender will get on the user's hidden list, an inclusive list of members that user can see their on-line status. When the user receives an e-mail from a sender, and the user determines whether the sender is on the user's hidden list. If so, the user can then obtain the sender's on-line status. See, *Friskel Col. 6:15-7:46.*

Consequently, the hidden list of the user includes any member who decided to broadcast its on-line status to the user, regardless whether or not this member has ever communicated with the user, or is ever known to the user. In one example, Friskel described putting all "internal contacts" to a user's hidden list. Internal contacts are defined as members who are "in regular

communication with messaging system server." See, *Friskel, FIG. 8, Col. 8:34-58.* As a result, "[t]he client user will be able to obtain on-line status information for any of internal contacts 800 ..." Hence, a member, who is a stranger to user, could broadcast its on-line status to the user simply because he and the user are both in regular communication with the server.

Alternatively, an external contacts 802 are defined as "which is not in communication with server 102", will not show its on-line status to the user. See, *Friskel, Col. 8:34-56.* Clearly, the determination of an internal or external contact is based on a relationship(regular communication) with the messaging server, not a relationship with the user. Thus, the internal list to the messaging server is not (1) "a list of people that is known to a user.", as recited in amended claim 1 and similarly in amended claim 23 and 45..

Further, a member of the messaging server's internal list could have no relationship with the user at all, he is not known to the user, nor has he ever communicated with the user, but he can still broadcast his on-line status to the user, simply because he and the user are all regulars to the messaging server. Thus, this member is not added to the list because of (2) the determination "based, at least in part, on one or more communications between the person and the user.", as recited in amended claim 1, and similarly in amended claim 23 and 45.

Accordingly, Friskel fails to describe or suggest all of the features of independent claim 1, 23 and 45.

Further, the Office Action rejected claims 9-22, 31-44 and 46-49 are rejected under 35 U.S.C. 103(a) as obvious over Friskel in view of U.S. Patent No. 6,393,464 (Dieterman). However, Dieterman also fails to describe or suggest at least (1) "maintaining a list of people that is known to a user;" and (2) adding a person to the list based on a determination that a person is known to the user based, at least in part, on one or more communications between the person and the user." as recited in independent claim 1 as amended, and similarly in independent claims 23 and 49, as amended.

Specifically, Dieterman describes a parental control system where emails to and from a child's account are selectively delivered based on an allowed list. The Office Action concisely summarizes the method how a person is added to the [] list: "[t]he administrator may review the

content of the allowed list and add, delete and edit the identities of entities appearing on the allowed list, (column 3, lines 54-57). " *Office Action, page 6.* As such, an identity is added to the allowed list based on the determination and the action of a third party, i.e., the administrator. Thus, an identity is not added to the allowed list "based, at least in part, on one or more communications between the person and the user." as recited in independent claim 1 as amended, and similarly in independent claims 23 and 49, as amended. Accordingly, Dieterman also fails to describe or suggest all of the features of independent claim 1, 23 and 45.

Therefore, Applicant submits that independent claims 1, 23, 45 and those claims that depend from them, are allowable over Friskel and Dieterman for at least the reasons given above

No fee is believed to be due. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 11/19/2008

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